

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

GEORGIACARRY.ORG, INC., and	*	
BRIAN BARRS,	*	
	*	
Plaintiffs,	*	
	*	
vs.	*	CV 114-178
	*	
U.S. ARMY CORPS OF ENGINEERS,	*	
and THOMAS J. TICKNER, in	*	
his official capacity as	*	
Commander, Savannah District	*	
U.S. Army Corps of Engineers,	*	
	*	
Defendants.	*	

O R D E R

Before the Court is Defendants' motion for an extension of time to respond to Plaintiffs' complaint until seven days after the Court rules on Defendants' motion to transfer. (Doc. no. 8.) Plaintiffs object to the extension. (Doc. no. 12.) For the reasons stated herein, the extension is **GRANTED**.

On September 4, 2014, Plaintiffs commenced this action to enjoin Defendants' enforcement of 36 C.F.R. § 327.13, which regulates the possession of loaded firearms at water resource development projects administered by Defendants. (Doc. no. 1.) Defendants' deadline to serve an answer to the complaint was November 3, 2014. Fed. R. Civ. P. 12(a)(2).

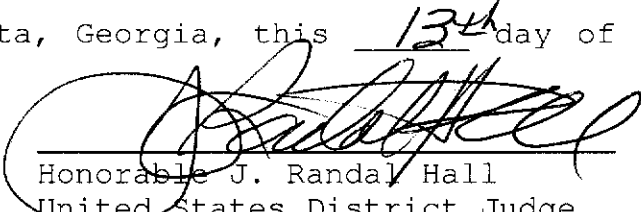
Defendants filed notices of appearance in this Court on September 17, 2014, and November 4, 2014. (Docs. nos. 5, 6.)

Defendants then moved to transfer the case to the Northern District of Georgia on November 7, 2014, in order to consolidate this case with a substantially similar case currently pending in that Court. (Doc. no. 7.) Plaintiffs have not yet responded to Defendants' motion to transfer. On the same day that Defendants filed their motion to transfer, Defendants also requested an extension to file an answer to Plaintiffs' complaint. (Doc. no. 8.)

In that motion, Defendants assert that they intend to move to dismiss Plaintiffs' complaint. It will be unnecessary, Defendants urge, for the Court to address Defendants' proposed motion to dismiss if the Court grants Defendants' motion to transfer the case. Therefore, Defendants request an extension of time to respond to Plaintiff's complaint until seven days after the Court rules on Defendants' motion to transfer. Plaintiffs urge the Court to deny the extension, but fail to articulate any prejudice that Plaintiffs would suffer in the event the extension is granted. (Docs. nos. 11, 12, 16, 17.)

Upon due consideration, the Court **GRANTS** Defendants' motion for extension. (Doc. no. 8.) Responses are due seven days after the Court issues an order on Defendants' motion to transfer. (Doc. no. 7.)

ORDER ENTERED at Augusta, Georgia, this 13th day of November, 2014.


Honorable J. Randal Hall
United States District Judge
Southern District of Georgia